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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 JEFFREY CONCEPCION,

7 Plaintiff,

8 vs.

9 JAMES E. TILTON, Secretary, California
10 Department of Corrections and Rehabilitation;
11 SCOTT KERNAN, Chief Deputy Secretary
12 Adult Operations, California Department of
13 Corrections and Rehabilitation; RICK
14 RIMMER, Correctional Safety Assistant
15 Secretary, California Department of Corrections
16 and Rehabilitation; ROBERT HOREL, Warden
17 of Pelican Bay State Prison,

18 Defendants.

Case No: C 08-2296 SBA (PR)

ORDER

Docket 24 and 28

16 Defendants have filed a motion to seal and to have reviewed *in camera* confidential
17 documents identified as Exhibits A and B to the Declaration of Everett Fischer. (Docket 24.)
18 Defendants seek to have these exhibits sealed by the Court for 75 years on the ground that
19 these documents contain the identity of persons whose safety could be jeopardized in the event
20 that their names are made public. However, Defendants have not complied with the
21 requirements to file an entire document under seal. See L.R. 79-5(b). In addition, Defendants
22 fail to cite any authority for the proposition that the Court has the authority to seal a document
23 for 75 years.¹ Accordingly, Defendants' Motion to File Confidential Documents Under Seal
24 for In Camera Review is DENIED. Said denial is without prejudice to Defendants'
25 resubmitting their motion in conformance with Local Rule 79-5 within 14 days of this Order.
26

27 ¹ It is possible for the Court to maintain these documents under seal until the conclusion of
28 the case and any appellate proceedings, after which time Defendants may request that the Clerk
return the confidential documents.

1 The exhibits at issue shall remain under seal pending Defendants' submission of a proper
2 motion to seal.


3 Also before the Court is Plaintiff's unopposed request for a one-day extension to file his
4 opposition (Docket 28), which is GRANTED.

5 Finally, the Court notes that there is no indication that the parties met and conferred
6 prior to the filing of either motion, as required by the Court's Standing Orders. The parties are
7 advised that no further motions or requests will be considered unless the submitting party
8 certifies that it has complied with this requirement.

9 This Order terminates Docket Nos. 24 and 28.

10 IT IS SO ORDERED.

11
12 Dated: February 9, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge